

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

LAND ACQUISITION REFERENCE NO.6 OF 1991

Special Land Acquisition Officer (4)
Bombay and Bombay Suburban District

V/s.

Milan B. Dalal

....Claimant

Ms.Geeta Shastri for the S.L.A.O.
Mr.S.R. Rajguru for the Acquiring Body.
None for the Claimant.

CORAM : S.J. VAZIFDAR, J.
DATED : 30TH AUGUST, 2004.

P.C. :

1. This is a reference under Section 18 of the Land Acquisition Act (for short "L.A. Act") for determination of the amount of compensation in respect of the acquired land.

2. The acquired land is situated at Wadhawan, which was sought to be acquired for the Central Ordinance Depot. Various lands were acquired in this regard from the neighbouring villages of Malad and Wadhawan.

3. The procedure of L.A. Act leading to the present proceeding has been followed. There is nothing to suggest that there is any infirmity in regard thereto. The Claimant's lands were amongst various other lands acquired as aforesaid. In the present reference I am concerned only with the claimant's lands.

4. The S.L.A.O. by his award dated 23rd September, 1996 awarded a compensation of Rs.20/- and Rs.15/- per sq.ft. for the lands at Malad and Wadhawan respectively. As noted earlier the present lands are situated in Wadhawan.

5. While arriving at the valuation, the S.L.A.O. has considered various aspects including the instances of sale. The Claimant's claimed Rs.50/- per sq.mtrs. The S.L.A.O. has stated that the Claimant had not produced any evidence in respect thereof.

6. Even in this reference, no evidence has been tendered in support of the Claimant's claim. The Claimant has remained absent. I am unable therefore from the records before me to ascertain the veracity of the Claimant's claim.

7. In the circumstances, the reference is dismissed. The Claimant shall pay the costs to the S.L.A.O. and the Acquiring Body fixed at Rs.2500/- each within twelve weeks from today.